

IN THE DRAWINGS:

Please amend Figure 21a by replacing reference numerals “84” and “86” with reference numerals “1484” and “1486” respectively, as shown in the Replacement Sheet for Figure 21a included in the Appendix of this response.

Please amend Figure 22a by deleting reference numeral “1451” as shown in the Replacement Sheet for Figure 22a included in the Appendix of this response.

Please amend Figure 24a by replacing reference numeral “1429” with reference numeral “1423” as shown in the Replacement Sheet for Figure 24a included in the Appendix of this response.

Please amend Figure 27a by replacing reference numeral “86” with reference numerals “1486,” as shown in the Replacement Sheet for Figure 27a included in the Appendix of this response.

REMARKS

Claims 1-20 were examined by the Office, and in the Office Action of May 21, 2007 claims 2 and 18-20 are withdrawn from consideration, and claims 1 and 3-17 are rejected. With this response applicant has amended the drawings and specification in order to overcome the objections presented by the Office, and claims 1, 8-10, 12-14, 16-18 and 20 are amended. All amendments are fully supported by the specification as originally filed. The amendments to the claims find support at least from Figures 22a-24a and the description accompanying the figures.

Applicant respectfully requests reconsideration and withdrawal of the objections and rejections in view of the amendments and following discussion.

Election/Restrictions

In section 2, on page 2 of the Office Action, claims 2 and 18-20 are withdrawn from consideration by the Office because it is asserted that these claims recite features which are not shown in the elected figures (21a-27a). Applicant acknowledges the withdrawal of claims 2 and 18-19 by the Office, but respectfully submits that claim 20 is disclosed by the elected figures.

The section of the specification discussing the elected figures specifically states that the present invention includes all types of motors and gearing arrangements. See specification page 31, lines 9-10. Therefore, the description accompanying figures 21a-27a makes clear that the bristle arrangements shown in figures 21a-27a can be operated by any of the motor and gearing arrangements discussed in the entire specification. As such, applicant respectfully requests consideration of claim 20.

Information Disclosure Statement

In section 3, on page 3 of the Office Action, the Office notes that foreign reference TW 26360 has not been considered, because the publication month has not been supplied. Applicant respectfully submits that the publication month is not required, because the year of publication is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the particular month of publication is not in issue. See MPEP § 609.04(a).

Accordingly, applicant submits a new PTO 1449 and a copy of TW 26360, along with an English translation of the abstract, and respectfully requests consideration of the reference. Please note that the correct publication year for TW 26360 is 1978 as shown in the new PTO 1449.

Drawings

In section 4, on page 3 of the Office Action, Figures 21a, 24a and 27a are objected for including reference characters not mentioned in the specification. With this response Figure 21a is amended to replace reference numerals “84” and “86” with “1484” and “1486,” and Figure 27a is amended to replace reference numerals “86” with “1486.” Support for the amendments to the figures can be found at least from Figure 21 and page 25, lines 18-22 of the specification. Therefore, no new matter is added.

With respect to Figure 24a, Figure 24a is amended to replace reference numeral “1429” with “1423.” Support for this amendment can be found at least from Figure 23a and page 28, lines 29-34 of the specification. Therefore, no new matter is added.

In section 5, on page 4 of the Office Action, Figure 22a is objected to for including incorrect reference numerals. Figure 22a is amended to delete reference numeral “1451” drawn to the moveable bristle carrier 1405. The specification is amended to correct the error identified by the Office, the amendment to the specification is discussed below. No new matter is added.

Specification

The specification is amended to recite “aperture 1451 of the static bristle carrier,” since reference numeral 1451 identifies the aperture of the static bristle carrier, and not the static bristle carrier. No new matter is added.

In section 6, on page 5 of the Office Action, the specification is objected to due to informalities. Page 29, line 8 is amended to recite “to separate the nested bristle carriers,” thereby moving the term “pieces.” It is respectfully submitted that this phrase is grammatically correct. Page 30, lines 9-10 are amended correctly identify the protuberances by reference

numeral 1417, instead of the receiving member. Applicant respectfully submits that the amendments to the specification do not introduce any new matter.

Claim Objections

In section 7, on page 5 of the Office Action, claims 1, 8, 12 and 16-17 are objected to due to informalities. The claims are amended to replace the phrase “one or more” with “at least one.” Claim 8 is amended to depend from claim 1, instead of claim 7, and therefore the antecedent basis problem identified by the Office is avoided. Claim 12 is amended to positively recite that the protuberance is of the at least one moveable carrier, and the aperture is of the drive shaft. Applicant respectfully requests withdrawal of the objections in view of the amendments to the claims.

Claim Rejections Under § 102

In section 9, on page 6 of the Office Action, claims 1, 3-4, 6-10 and 16-17 are rejected under 35 U.S.C. § 102(b) as anticipated by Japan 05-146314. Applicant respectfully submits that claim 1, as amended, is not disclosed or suggested by Japan ‘314, because Japan ‘314 fails to disclose or suggest all of the limitations recited in claim 1. Japan ‘314 at least fails to disclose or suggest that the at least one movable carrier is substantially encircled by the at least one static carrier, as recited in amended claim 1.

Japan ‘314 discloses an electric toothbrush with a static bristle carrier (32c) and multiple moving bristle carriers (32a, 32b) slidably engaging a receiving member (33) of a neck (6) of the electric toothbrush. See Figure 9a. In contrast to claim 1, Japan ‘314 only discloses that the moving bristle carriers (32a, 32b) are disposed on opposite sides of the static bristle carrier (32c). Therefore, the static bristle carrier is in between the moving bristle carriers, and does not substantially encircle the moving bristle carriers, as recited in amended claim 1. For at least this reason, claim 1 is not disclosed or suggested by Japan ‘314.

Independent claim 17 is amended in a manner similar to claim 1, and therefore for at least the reasons discussed above with respect to claim 1 is not disclosed or suggested by Japan ‘314.

The claims depending from the above identified independent claims are not disclosed or suggested by Japan '314 at least in view of their dependencies.

Claim Rejections Under § 103

In section 10, on page 8 of the Office Action, claims 5 and 11-15 are rejected under 35 U.S.C. § 103(a) as unpatentable over Japan '314. Claims 5 and 11-15 all ultimately depend from independent claim 1, which is not disclosed or suggested by Japan '314, and therefore claims 5 and 11-15 are patentable over Japan '314 at least in view of their dependencies.

Conclusion

The application is therefore believed to be in condition for allowance, and such action is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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APPENDIX

ANNOTATED

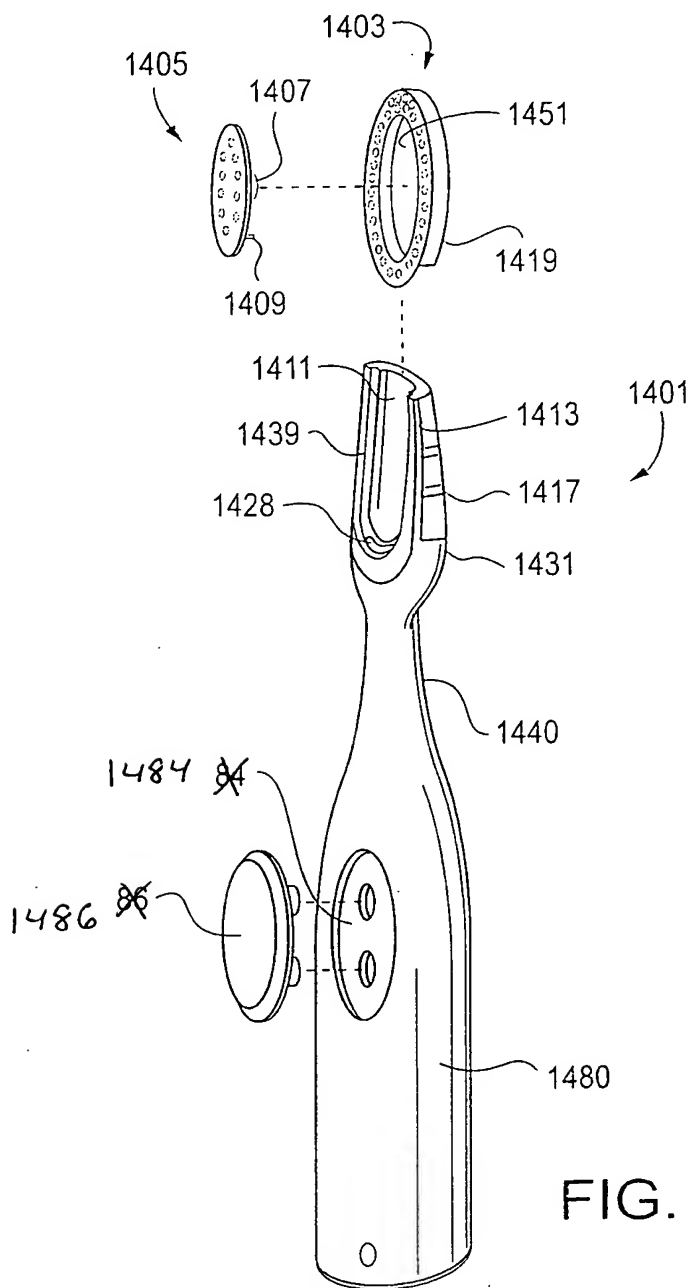


FIG. 21a

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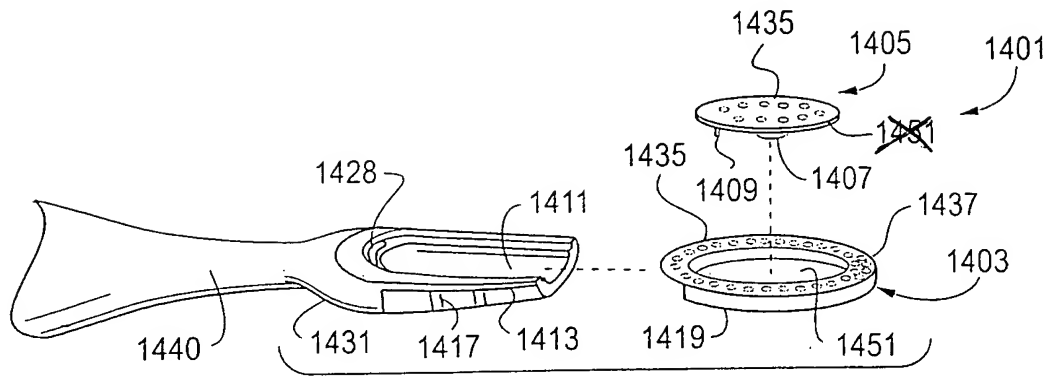


FIG. 22a

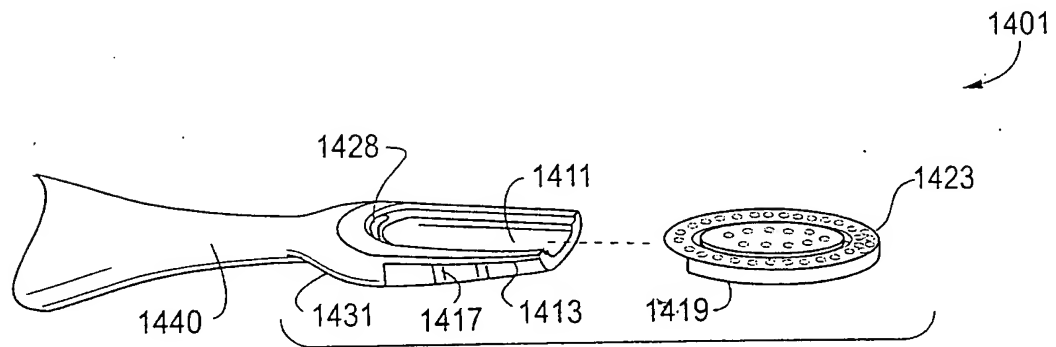


FIG. 23a

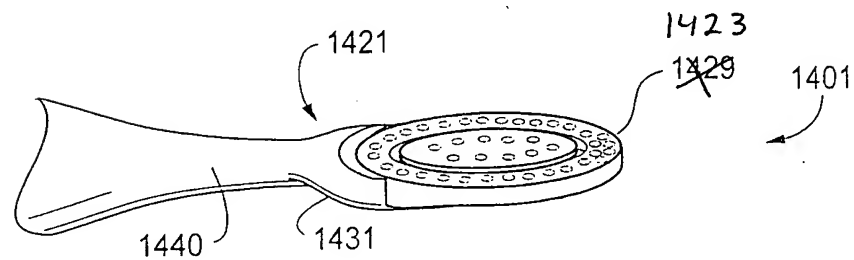


FIG. 24a

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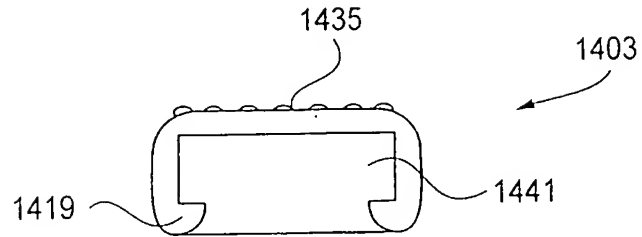


FIG. 25a

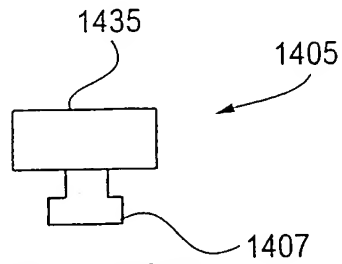


FIG. 26a

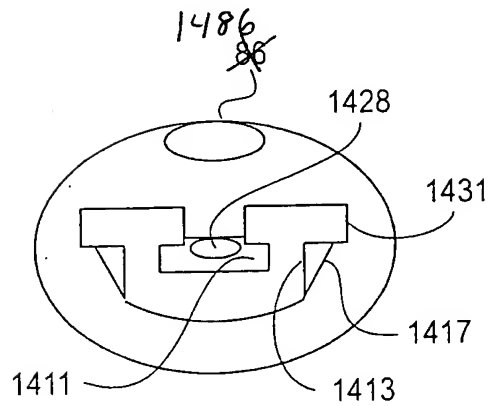


FIG. 27a